

Moved by Hammond

Seconded by Stegner

IN THE SENATE
SENATE AMENDMENT TO H.B. NO. 95, As Amended

AMENDMENT TO SECTION 1

On page 1 of the engrossed bill, in line 27, following "agency" insert: that was created by resolution as provided in section 50-2005, Idaho Code, before July 1, 2011,"; in line 29, following "less" insert: ": (1)"; in line 30, following "agency" insert: "created after July 1, 2011,"; in line 31, following "until" insert: "(2)"; in line 35, following "chapter" insert: ". If prior to July 1, 2011, the local governing body has made the findings prescribed in subsection (a) (1) of this section then such agency shall trans-
act business and shall exercise its powers hereunder and is not subject to
the requirements of subsection (a) (2) of this section"; delete line 37, and
insert: "Upon the local governing body making such findings, section, the
ur-".

AMENDMENT TO SECTION 2

On page 5, delete line 24, and insert: "development site; and"; delete
lines 26 through 29, and insert: "for the purposes of this act if allowable
under federal laws or regulations.".

AMENDMENT TO SECTION 4

On page 7, in line 49, delete "or forestry use".
On page 8, in line 2, delete "or forestry operation" and insert: "or
to any forest land as defined in section 63-1701(4), Idaho Code, absent the
consent of the forest landowner, as defined in section 63-1701(5), Idaho
Code"; in line 3, delete "forestry operation" and insert: "forest land";
in line 20, delete "or forestry use"; in line 22, delete "or forestry opera-
tion" and insert: "or to any forest land as defined in section 63-1701(4),
Idaho Code, absent the consent of the forest landowner, as defined in section
63-1701(5), Idaho Code"; in line 23, delete "forestry operation" and insert:
"forest land".

AMENDMENT TO SECTION 5

On page 10, in line 20, following "Code." insert: "Notwithstanding these
limitations, an urban renewal plan that includes a revenue allocation area
may be extended only one (1) time to extend the boundary of the revenue al-
location so long as the total area to be added is not greater than ten per-
cent (10%) of the existing revenue allocation area and the area to be added is
contiguous to the existing revenue allocation area but such contiguity can-
not be established solely by a shoestring or strip of land which comprises a
railroad or public right-of-way.".

AMENDMENT TO SECTION 6

1 On page 11, delete lines 2 and 3, and insert: "caused by the removal of
 2 the agricultural tax exemption from undeveloped agricultural land in a rev-
 3 enue allocation area shall be added to the base assessment roll.".

4 On page 12, in line 32, delete "or forestry use"; in line 33, follow-
 5 ing "Code," insert: "or any forest land as defined in section 63-1701(4),
 6 Idaho Code,"; in line 33, delete "or"; in line 34, delete "forestry" and fol-
 7 lowing "operation" insert: "or the forest landowner of the forest land"; in
 8 line 35, delete "or forestry" and following "operation" insert: "or forest
 9 land".

10 AMENDMENT TO SECTION 7

11 On page 14, delete lines 40 through 49; delete page 15; and on page 16,
 12 delete lines 1 through 3, and insert:

13 "SECTION 7. That Section 50-2904, Idaho Code, be, and the same is hereby
 14 amended to read as follows:

15 50-2904. AUTHORITY TO CREATE REVENUE ALLOCATION AREA. An authorized
 16 municipality is hereby authorized and empowered to adopt, at any time, a
 17 revenue allocation financing provision, as described in this chapter, as
 18 part of an urban renewal plan or competitively disadvantaged border com-
 19 munity area ordinance. A revenue allocation financing provision may be
 20 adopted either at the time of the original adoption of an urban renewal plan
 21 or the creation by ordinance of a competitively disadvantaged border com-
 22 munity area or thereafter as a modification of an urban renewal plan or the
 23 ordinance creating the competitively disadvantaged border community area.
 24 Urban renewal plans existing prior to the effective date of this section
 25 may be modified to include a revenue allocation financing provision. Ex-
 26 cept as provided in subsections (1), (2), and (3) and (4) of this section,
 27 no revenue allocation provision of an urban renewal plan or competitively
 28 disadvantaged border community area ordinance, including all amendments
 29 thereto, shall have a duration exceeding twenty-~~four~~ (240) years from the
 30 date the ordinance is approved by the municipality; and provided further,
 31 no additions to the land area of an existing revenue allocation area shall
 32 be interpreted to or shall cause an extension of the date of the twenty-~~four~~
 33 (240) year limit that was originally established for the revenue allocation
 34 area. Notwithstanding these limitations, the duration of the revenue allo-
 35 cation financing provision may be extended if:

36 (1) The maturity date of any bonds issued to provide funds for a spe-
 37 cific project in the revenue allocation area and payable from the revenue al-
 38 location financing provision exceeds the duration of the revenue allocation
 39 financing provision, provided such bond maturity is not greater than ~~thirty~~
 40 twenty (320) years; or

41 (2) The urban renewal agency determines that it is necessary to refi-
 42 nance outstanding bonds payable from the revenue allocation financing pro-
 43 vision to a maturity exceeding the twenty-~~four~~ (240) year duration of the
 44 revenue allocation financing provision in order to avoid a default on the
 45 bonds; or

46 (3) The local governing body has adopted an urban renewal plan or com-
 47 petitively disadvantaged border community area ordinance or an amendment to
 48 an urban renewal plan or competitively disadvantaged border community area
 49 ordinance prior to July 1, 2000, in which is defined the duration of the plan

beyond a period of twenty-four (24) years, in which case the revenue allocation provision shall have a duration as described in such urban renewal plan or competitively disadvantaged border community area ordinance or may be extended as set forth in subsection (2) of this section; and

~~(4) During the extensions set forth in subsections (1) and (2) of this section, any revenue allocation area revenues exceeding the amount necessary to repay the bonds during the period exceeding the twenty-four (24) year maturity of the revenue allocation financing provision shall be returned to the taxing districts in the revenue allocation area on a pro rata basis. The local governing body has adopted an urban renewal plan or competitively disadvantaged border community area ordinance or an amendment to an urban renewal plan or competitively disadvantaged border community area ordinance after July 1, 2000, and prior to July 1, 2011, in which is defined the duration of the plan beyond a period of twenty (20) years in which case the revenue allocation provision shall have a duration as described in such urban renewal plan or competitively disadvantaged border community area ordinance. The duration of the revenue allocation financing provision set forth in this subsection may be extended if the maturity date of any bonds issued to provide funds for a specific project in the revenue allocation area and payable from the revenue allocation financing provision exceeds the duration of the revenue allocation financing provision, provided such bond maturity is not greater than thirty (30) years or may be extended as set forth in subsection (2) of this section.~~

~~(5) During the extension set forth in subsections (1), (2), (3) and (4) of this section, any revenue allocation area revenues exceeding the amount necessary to repay the bonds during the period exceeding the maximum year maturity of the revenue allocation financing provision shall be returned to the taxing districts in the revenue allocation area on a pro rata basis."~~

AMENDMENT TO THE BILL

On page 17, following line 7, insert:

"SECTION 10. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval, and retroactively to January 1, 2011, only as it appears to the amendment of Section 50-2903(4), Idaho Code. All other provisions of this act shall be in full force and effect on and after July 1, 2011."

CORRECTION TO TITLE

On page 1, delete line 9, and insert: "POWERS OF URBAN RENEWAL; AMENDING"; in line 20, delete "AND"; and delete line 21, and insert: "ITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES."